

Case 1:19-cv-07722-VM Document 26-1

Filed 02/13/20 Page 1 of 2 USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: <u>2/18/20</u>

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NICOLE PINEDO,

Plaintiff,

- against -

NETFLIX STUDIOS, LLC, et al.,

Defendants.

19 Civ. 7722 (VM)

**CIVIL CASE MANAGEMENT PLAN
AND SCHEDULING ORDER**

This Scheduling Order and Case Management Plan is adopted in accordance with Fed. R. Civ. P. 16-26(f).

1. This case (is) (is not) to be tried to a jury: [circle one]
2. Joinder of additional parties to be accomplished by April 7, 2020
3. Amended pleadings may be filed without leave of the Court until April 7, 2020
4. Initial disclosure pursuant to Fed. R. Civ. P. 26(a)(1) to be completed within fourteen (14) days of the date of the parties' conference pursuant to Rule 26(f), specifically by not later than March 17, 2018.
5. All fact discovery is to be completed either:
 - a. Within one hundred twenty (120) days of the date of this Order, specifically by not later than June 30, 2020; or
 - b. Within a period exceeding 120 days, with the Court's approval, if the case presents unique complexities or other exceptional circumstances, specifically by not later than _____.
6. The parties are to conduct discovery in accordance with the Federal Rules of Civil Procedure and the Local Rules of the Southern District of New York. The following interim deadlines may be extended by the parties on consent without application to the Court, provided the parties are certain that they can still meet the discovery completion date ordered by the Court.
 - a. Initial requests for production of documents to be served by March 24, 2020.
 - b. Interrogatories to be served by all party by March 24, 2020.
 - c. Depositions to be completed by June 30, 2020.
 - i. Unless the parties agree or the Court so orders, depositions are not to be held until all parties have responded to initial requests for document production.
 - ii. Depositions of all parties shall proceed during the same time.
 - iii. Unless the parties agree or the Court so orders, non-party depositions shall follow party depositions when possible.

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d. Any additional contemplated discovery activities and the anticipated completion date:

N/Ae. Requests to Admit to be served no later than April 1, 2020.7. All expert discovery (ordinarily conducted following the completion of fact discovery) including parties' expert reports and depositions, witness lists and identification of documents pursuant to Fed. R. Civ. P. 26(a)(2), (3) and 35(b), is to be completed by:a. Plaintiff The parties do not contemplate expert discovery at this time.

b. Defendant _____

8. Contemplated motions:

a. Plaintiff: Motion for summary judgment at the conclusion of discoveryb. Defendant: Motion for summary judgment at the conclusion of discovery.9. Following all discovery, all counsel must meet for at least one hour to discuss settlement, such conference to be held by not later than July 28, 2020.

10. Do all parties consent to trial by a Magistrate Judge under 28 U.S.C. § 636(c)?

Yes _____ No X**TO BE COMPLETED BY THE COURT:**11. The next Case Management Conference is scheduled for 7-10-20 at 10:00 a.m.

In the event the case is to proceed to trial, a firm trial date and the deadline for submission of the Joint Pretrial Order and related documents shall be scheduled at the pretrial conference following either the completion of all discovery or the Court's ruling on any dispositive motion.

The Joint Pretrial Order should be prepared in accordance with Judge Marrero's Individual Practices. If this action is to be tried before a jury, proposed voir dire and jury instructions shall be filed with the Joint Pretrial Order. No motion for summary judgment shall be served after the deadline fixed for the Joint Pretrial Order.

SO ORDERED:DATED: New York, New York
18 February 2020
VICTOR MARRERO
U.S.D.J.

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February 13, 2020

By Electronic Filing

Hon. Victor Marrero
U.S. District Judge
Suite 1040
United States Courthouse
500 Pearl Street
New York, New York 10007

Re: Pinedo v. Netflix Studios, LLC and Jerry Media LLC, No. 19 Civ. 7722 (VM)

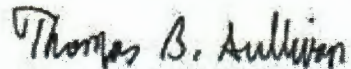
Dear Judge Marrero:

We represent Defendants Netflix Studios, LLC and Jerry Media LLC ("Defendants") in this matter. By order issued yesterday (Dkt. 25), the Court adjourned the initial conference in this case, previously scheduled for February 14, 2020, to February 28, 2020 at 4:00 p.m. Because I will be travelling out of the country that day, we write pursuant to Rule 1(F) of this Court's Individual Practices to request the adjournment of the conference. This is Defendants' first request for an adjournment of this conference. Plaintiff's counsel has consented to this request.

Because the adjourned initial conference would defer the start of discovery, the parties have conferred on proposed adjusted dates. A revised proposed case management plan is attached to this correspondence for the Court's review.

Counsel for all parties are available on any date between March 3 and March 6 if such a date would be convenient for the Court

Respectfully submitted,



Thomas B. Sullivan

cc: Richard Liebowitz, Esq., counsel for Plaintiff (via email)